



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In Re Terrorist Attacks on September 11, 2001	03 MDL 1570 (RCC) ECF Case
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This document relates to:

*Federal Insurance Co., et al. v. Al Qaida, et al., Case No. 03-CV-6978 (S.D.N.Y.)
Kathleen Ashton, et al. v. Al Qaeda Islamic Army, et al., Case No. 1:02-6977 (S.D.N.Y.)
Thomas E. Burnett, Sr., et al. v. Al Baraka Investment & Development Corp., et al., Case
No. 03-CV-9849 (S.D.N.Y.)
Continental Casualty Co., et al. v. Al Qaeda Islamic Army, et al., Case No. 04-CV-5970
(S.D.N.Y.)
Euro Brokers, Inc., et al. v. Al Baraka Investment and Development Corp., et al.,
Case No. 04-CV-07279-UA (S.D.N.Y.)
New York Marine and General Insurance Co. v. Al Qaida, et al., Case No. 04-CV-6105
(S.D.N.Y.)
World Trade Center Properties, LLC, et al. v. Al Baraka Investment and Development
Corp., et al., Case No. 04-CV-7280 (S.D.N.Y.)*

**STIPULATION AS TO SERVICE OF PROCESS AND EXTENSION OF TIME TO
RESPOND TO COMPLAINTS CONSOLIDATED UNDER MDL 1570**

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs in all of the above-referenced cases consolidated under 03 MDL 1570 and Defendants Bakr Binladin, Haydar Binladin, Abdullah Binladin, Omar Binladin, Saleh Binladin, Salem Binladin, Tariq Binladin, and Yeslam Binladin (collectively "The Binladin Family Defendants"), and Defendants Saudi Binladin Group, Inc. ("SBG"), Mohammed Binladin Organization ("MBO"), and Saudi Binladin International Co. ("SBIC") (collectively "The Binladin Company Defendants"), by and through their undersigned counsel, that:

1. Each of the undersigned Defendants hereby agree that, as a result of the publication of the Legal Notice of Suit in the USA Today, International Herald Tribune and Al Quds Al Arabi newspapers, which was authorized by Judge Richard C. Casey's Order dated September 15,

2004, he or it was served with the Complaint in each of the cases referenced above in which he or it is named as a defendant and has not been dismissed.

2. The Binladin Family Defendants and The Binladin Company Defendants hereby waive any and all affirmative defenses, objections, privileges, immunities and arguments relating to service of process in each of the cases referenced above in which they are named, but preserve any and all other defenses, objections, privileges, immunities and arguments available to them.

3. Haydar Binladin is hereby dismissed from the *Continental Casualty* action, that Saleh Binladin is hereby dismissed from the *Continental Casualty* and *New York Marine* actions, and that Salem Binladin is hereby dismissed from the *Federal Insurance* and *New York Marine* actions, with the result that Haydar Binladin, Saleh Binladin, and Salem Binladin are no longer named as defendants in any of the cases referenced above.

4. Where applicable, the Plaintiffs pursuing claims for relief under the Racketeer Influenced and Corrupt Organizations Act ("RICO") shall serve their respective RICO Statements concerning The Binladin Family Defendants, MBO and SBIC on or before August 15, 2005.

5. The Binladin Family Defendants, MBO and SBIC will file consolidated motions to dismiss all of the Complaints in which each of them is named and has not previously been dismissed, with the precise number of consolidated motions and the movants in each such motion to be determined after Plaintiffs have served their RICO Statements pursuant to Paragraph 4, provided however that the total number of consolidated motions to dismiss filed by all such Defendants collectively shall not exceed three.

6. Plaintiffs in the above-referenced actions will collectively file a single consolidated opposition in response to each consolidated motion to dismiss filed by such Defendants.

7. The Binladin Family Defendants, MBO and SBIC shall notify Plaintiffs of the number of consolidated motions to dismiss (not to exceed three) and the identity of the moving parties for each such motion on or before October 14, 2005.
8. If such Defendants notify Plaintiffs on or before October 14, 2005 of their intent to file more than one consolidated motion to dismiss, the first such motion shall be filed and briefed in accordance with the schedule set forth in paragraphs 9-11, and the parties shall thereafter mutually agree on a briefing schedule for the remaining consolidated motions.
9. The first consolidated motion to dismiss filed on behalf of some or all of The Binladin Family Defendants, MBO and SBIC shall be served on or before October 28, 2005.
10. Plaintiffs' consolidated opposition to the motion to dismiss filed pursuant to paragraph 9 shall be served on or before January 6, 2006.
11. The movants' consolidated reply responding to Plaintiffs' opposition filed pursuant to paragraph 10 shall be served on or before February 10, 2006.
12. All briefing as to Defendant SBG shall be stayed pending the completion of the jurisdictional discovery authorized by Judge Casey's Order dated January 18, 2005.
13. If the Court enters an order determining that it has personal jurisdiction over Defendant SBG, the parties will negotiate in good faith to agree upon a schedule for the filing of RICO Statements and responsive pleadings.

Respectfully submitted,

JONES DAY

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SO ORDERED:

Richard Conway Casey
Richard Conway Casey, U.S.D.J.

Dated: 9/14/05